

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT MCCORKLE AND MARGARET  
MCCORKLE,

Plaintiffs,

No. C 07-1284 PJH

v.

**ORDER SHORTENING TIME  
RE MOTION TO REMAND**

A.W. CHESTERTON COMPANY, et al.,

Defendants.

Before the court is plaintiff's application for an order shortening time in connection with plaintiff's pending motion for remand, which is currently set for hearing on May 9, 2007.

Upon review of plaintiff's application and plaintiff's concurrently filed motion to remand, it appears to the court that the only defendant with a potential basis for federal jurisdiction has now been dismissed. As such, remand will likely be appropriate in the case. Furthermore, the court finds that plaintiff has presented good cause for shortening time regarding the hearing on the motion to remand. Accordingly, the court hereby GRANTS plaintiff's application for an order shortening time. The hearing on the motion to remand, previously scheduled for hearing on May 9, 2007, is now rescheduled for hearing on **April 18, 2007**.

Any defendant wishing to oppose plaintiff's motion to remand must file an opposition by Friday, April 13, 2007. Plaintiff must file any reply brief by Monday, April 16, 2007. Alternatively, and in lieu of a motion to remand, plaintiff may, if he wishes, obtain a stipulation from all parties in the case agreeing to remand the matter to state court. If such a stipulation is filed with the court on or before Monday, April 16, 2007, the hearing on the

1 motion to remand will be vacated.

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3 **IT IS SO ORDERED.**

4 Dated: April 10, 2007



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PHYLLIS J. HAMILTON  
United States District Judge